

Applicant: Fabiano Minelli
Application No. 10/532,701
Filing Date: October 5, 2005
Docket: 1542-2 PCT/US
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REMARKS

Applicant has carefully considered the final Office Action dated April 27, 2007 and references cited therein. Applicant provides the following response thereto. In this amendment, Claims 1-8 are canceled. Claims 9-14 are new. Accordingly, Claims 9-14 are presented for consideration. No new matter has been added.

DRAWINGS OBJECTION

In the Office Action, the drawings were objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the Claims. In particular, the Examiner required that the "anti-tear" screw and nut of Claim 6 be shown in the drawings or the feature be canceled from the Claim. In view of Applicant's cancellation of Claim 6, Applicant respectfully requests that the Objection to the Drawings be reconsidered and withdrawn.

CLAIM OBJECTIONS

In the Office Action, Claims 1 and 7 were objected to for various informalities. In view of Applicant's cancellation of Claims 1 and 7, Applicant respectfully requests reconsideration and withdrawal of the Claim 1 and 7 objections.

CLAIM REJECTIONS UNDER 35 U.S.C. SECTION 112

In the Office Action, Claims 1-8 were rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicants regard as the invention. In particular, the Examiner alleged that Claims 1-8 are generally narrative and indefinite, and fail to conform with current U.S. practice.

Applicant respectfully submits that the bodies of new Claims 9-14 are definite and conform with current U.S. practice. In view of the cancellation of Claims 1-8, Applicant respectfully requests that the § 112 rejections of Claims 1-8 be reconsidered and withdrawn.

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PRIOR ART REJECTIONS UNDER 35 U.S.C. SECTION 102

Claims 1-8 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 834,669 to Fricke. ("*Fricke*"). Applicant respectfully traverses this rejection.

New independent Claim 9 recites a fixing system for attaching panels that includes a first and at least a second panel, said first panel and said second panel each including an end bar oriented and sized for attachment to another like end bar. Claim 9 also recites a connecting bolt having a threaded stem extending orthogonally from a head, the stem and a portion of the head adjacent the stem provided with a longitudinal through slit to receive the end bars, the slit having a width at least equal to the width of the end bars, and a nut for attachment to the threaded stem to secure the end bars in said slit.

Fricke discloses a test and wire-connector for connecting electrically and mechanically two or more wires for conveying electrical currents. As explained in connection with FIGS. 1, 2, 5 and 8, the device comprises a top plate and other plates in any number according to the number of wires that it is desired to connect. The plates are provided upon their adjacent faces with centrally-disposed longitudinal grooves in which wires are adapted to lie when the plates are clamped together. For the purpose of thus clamping the plates together upon the wires, a screw-bolt having a head and a nut and provided with a slot passes through suitably formed apertures in the plates, the slots being of sufficient width to straddle the largest wires. When the nuts are tightened, the plates are clamped upon the wires which are held in the same plane by the grooved in the opposed faces of the plate.

The Office action alleges that *Fricke* discloses a screw that exhibits a head (2a) and a slit in the threaded stem that partly extends also in the head (at 5a). (Office Action, Page 7). That is incorrect. As explained in *Fricke*, element 5a merely refers to grooves running transversely to the plates. (*Fricke*, Page 2, lines 69-84). In Fact, nothing in *Fricke* discloses or

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suggests a fixing system for attaching panels as recited in Applicant's pending claims. In particular, nothing in *Fricke* discloses or suggests a connecting bolt having a threaded stem extending orthogonally from a head, the stem and a portion of the head adjacent said stem provided with a longitudinal through slit to receive the end bars, as recited in Applicant's claims. In addition, nothing in *Fricke* discloses or suggests a first and a second panel each including an end bar oriented and sized for attachment to another like end bar.

New Claim 10 recites the fixing system of Claim 9 further comprising at least one pole having a through hole sized and positioned to receive said connecting bolt when said pole is assembled to connect said first and said at least second end bars. New Claim 11 recites the fixing system of Claim 10, wherein the pole includes at least one transversal plate positioned parallel to a plane of the first and second panel and includes the through hole. New Claim 12 recites the fixing system of Claim 10 wherein the pole includes at least one pair of aligned holes positioned on two opposed sides of the pole, and the threaded stem extends through the pair of holes for fixing the first panel to one of the sides and the second panel to the opposed side.

New Claim 13 recites the fixing system of Claim 9 wherein at least one of the end bars is free to move at least one of angularly and axially in the slit prior to attachment of the nut. New Claim 14 recites the fixing system of Claim 9, wherein the first and the at least one second panel are fence panels.

In view of the cancellation of Claim 1-8 and foregoing remarks, applicant respectfully requests that the rejection of Claims 1-8 under 35 U.S.C. §102(b) be reconsidered and withdrawn.

Accordingly, Applicant respectfully submits that new independent Claim 9 and those claims depending therefrom, are patentably distinguishable from the references of record and

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should be allowed at least for the same reasons. Further, Applicant respectfully submits that Claims 10-14 define additional patentable subject matter in their own right.

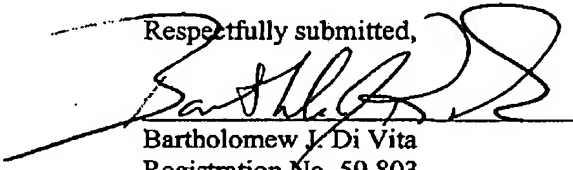
CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing remarks, entry of the amendments to Claims 9-14; and favorable consideration and allowance of pending Claims 9-14 are respectfully and earnestly solicited.

If resolution of any remaining issue is required prior to allowance of the application, it is respectfully requested that the Examiner contact Applicant's attorney at the telephone number provided below.

Respectfully submitted,



Bartholomew J. Di Vita
Registration No. 59,803
Attorney for Applicant

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
Tel. 516-822-3550
Fax. 516-822-3582
BJD:dlb